

Appln No. 10/828,635
Amdt date January 16, 2007
Reply to Office action of July 19, 2006

REMARKS/ARGUMENTS

Pending Claims:

Claims 1, 3, 6, 7, 13, 14, and 17-22 are pending and all are amended. Claims 2, 4, 5, 8-12, 15, 16, and 23 are canceled herein.

Objection to the Specification:

The Examiner objects to the disclosure because of some informalities regarding reference numerals. The specification is amended herein to overcome this ground of objection.

Rejection of Claims Under 35 U.S.C. § 102(b):

The Examiner rejects claims 1, 6, 12, 15 and 19-23 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,486,683 to Kamins et al. The Examiner states that Kamins teaches a low friction hanger system comprising a friction reducing element integral with the hanger hook and located on at least the underside of the hook and being unitary with the hanger. The Examiner states that Kamins inherently teaches the method of hanging an item on a hanger, and that in regards to spacing the hangers naturally, such will happen when two hangers with garments are placed beside one another, since two materials cannot maintain the same space and time.

Applicants have carefully studied Kamins et al. and respectfully submits that as amended, claims 1, 6, and 19-22 overcome this ground of rejection. Given that claims 12, 15, and 23 are canceled, the rejection of these claims is moot. Independent claims 1 and 17 are amended to recite a friction reducing element comprising “a roller on the clothes hanger hook which roller has a preformed concave rolling surface with an apex, which apex rolls generally on the uppermost edge surface of the supporting clothes hanger rod, or a plurality of rollers with rolling surfaces which contact and roll on the supporting clothes hanger rod.”

Appln No. 10/828,635
Amdt date January 16, 2007
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Firstly, as amended, Applicants recite “A low friction clothes hanger system”. The system of Kamins et al. is a bag and closure means. Moreover, Kamins et al. fails to disclose a “roller” of “rollers,” but instead, simply discloses protuberances 19.

With respect to the Examiner's statement that “Kamins inherently teaches the method of hanging an item on a hanger, and that in regards to spacing the hangers naturally, such will happen when two hangers with garments are placed beside one another, since two materials cannot maintain the same space and time,” Applicants respectfully submit that the problem of hangers not self spacing is mostly not solved by clothing on hangers bumping into each other. Particularly in the case of heavy or bulky clothing items, when clothes laden hangers make contact with each other, the clothing item make contact and cause the hanger hooks to torque and twist relative to the clothes hanger support rod and become even less slideable and self adjusting than they were before making contact. A glance into the typical closet filled with clothes will reveal the truth of this statement. If anything, the protuberance would likely “dig into” the clothes rod, particularly a wooden clothes rod, and actually interfere with smooth sliding. Given the lack of any rollers of the clothes hangers of Kamins et al., this problem is not solved by the clothes hangers of Kamins et al. Accordingly this ground of rejection is traversed.

The Examiner next rejects claims 1, 2, 5, 6-9, 11, 12, 16 and 19-23 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,448,902 to Stebbins. The Examiner states that Stebbins teaches a low friction hanger system comprising a friction reducing rolling wheel integral with and capable of being installed on a low friction hanger without a friction reducing element. The Examiner states that Stebbins also inherently teaches the method of hanging an item on a hanger, and that in regards to spacing the hangers naturally, such will happen when two hangers with garments are placed beside one another, since two materials cannot maintain the same space and time.

Applicants have carefully evaluated Stebbins and respectfully submits that as amended, claims 1, 6, and 19-22 overcome this ground of rejection. Given that claims 12, 15, and 23 are canceled, the rejection of these claims is moot.

Appln No. 10/828,635
Amdt date January 16, 2007
Reply to Office action of July 19, 2006

The roller of Stebbins device is formed from a section of flat, low friction material with complementary ends that are snapped together around a straight section of the wire clothes hanger hook in a central region of the wire hook. The roller in the Stebbins device is perfectly tubular and extends both below, above, and to outer sides of the top of the hanger hook. See FIGS. 2 and 3. Unlike the situation with the recited “roller having a preformed concave rolling surface” [emphasis added] of Applicants’ claims 1 and 17 and claims dependent thereon, if two hangers of Stebbins are pushed into one another, their two tubular rollers may make contact with each other and thereby prevent each other from rolling since the outer roller surfaces would be turning in opposite directions at the point of contact. In contrast, with the recited roller of Applicants’ invention which has a preformed concave rolling surface, not only will the roller make better contact with the supporting clothes hanger rod than in the case of the roller of Stebbins, but if two hanger hooks are bumped together, the adjacent rollers will not impede each other much from rolling since the two concave rolling surface will not have roller surfaces which can rub together. Likewise, in the case of the recited “plurality of rollers with rolling surfaces which contact and roll on the supporting clothes hanger rod”, there is no chance for these recited rollers on adjacent hangers from making contact or binding up each other to thereby prevent rolling of the clothes hangers of the invention on a clothes hanger support rod.

With respect to the Examiner's statement that “Stebbins also inherently teaches the method of hanging an item on a hanger, and that in regards to spacing the hangers naturally, such will happen when two hangers with garments are placed beside one another, since two materials cannot maintain the same space and time,” Applicants respond with the same remarks as made in connection with the Examiner's same observations regarding Kamins et al. Applicants respectfully submit that the problem of hangers not self spacing would not be solved by the device of Kamins et al. because if the hooks bump into each other, they will likely prevent each other from rolling freely. Accordingly, this ground of rejection is overcome.

The Examiner's last rejection under 35 U.S.C. § 102(b) is of claims 1, 6-8, 10-12, 16, and 19-23 as being anticipated by U.S. Patent No. 3,935,976 to Mizrach. Applicants have studied Mizrach and respectfully submits that as amended, claims 1, 6, 7, and 19-22 overcome this

Appln No. 10/828,635
Amdt date January 16, 2007
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ground of rejection. Given that claims 8, 12, and 23 are canceled, the rejection of these claims is moot. Unlike the claimed invention, Mizrach fails to disclose any “roller” or “rollers” but instead discloses that “[f]or further comfort to the user, a rubber or plastic tube 12, secured about the curved part of the handle in the area it is grasped.”

Accordingly, Applicants respectfully submit that Kamins et al., Stebbins and Mizrach do not anticipate the claimed invention, and reversal is accordingly requested.

Rejection of Claims Under 35 U.S.C. § 103(a):

The Examiner rejects claims 3 and 4 under 35 U.S.C. § 103(a) as being unpatentable over Stebbins. Claim 4 is canceled and its limitations are now part of claim 1. Claim 3 is amended to recite that the “plurality of rollers comprise a plurality of spaced apart ball bearings.”

The Examiner states that Stebbins teaches the invention as discussed but fails to specifically teach a ball bearing. The Examiner states that it would have been obvious to utilize a ball bearing in the roller of Stebbins so as to decrease friction even more. The Examiner further states that the roller of Stebbins would obviously take on a concave shape once it was in use.

Applicants respectfully disagree with the Examiner’s position. The Stebbins disclosure describes a specific design and way to form a hanger with a tubular roller on its hook from a conventional wire clothes hanger by using a die to form a straight section in the hook with shoulders formed at ends of the straight section, and then snap together a flat section of material into a tubular roller over the straight section of wire. Stebbins does not teach or suggest any other way to decrease friction between a hanger and a rod, and one having ordinary skill in the art would find no teaching or motivation whatsoever from Stebbins to use ball bearings in place of its disclosed tubular roller.

Regarding the Examiner’s statement that “the roller of Stebbins would obviously take on a concave shape once it was in use”, Applicants respectfully believe that this would not be the case. If the roller of Stebbins were to start to take on a concave shape by virtue of pressure from a highest point of the clothes rod pushing on the roller, its two ends 30 and 32 would likely

Appln No. 10/828,635
Amdt date January 16, 2007
Reply to Office action of July 19, 2006

detach from each other and the strip of flat material would likely fall free from the straight section of wire. Indeed, if the material used to make up roller of Stebbins were soft enough to take on a concave shape, this concave shape would push up into the internal opening 34 of the roller 26, which would impinge on the straight section of wire 22 which forms an axle around which the roller 26 rolls. This soft and pliable material impinging on the axle 22 would certainly interfere with free rolling of the hanger of a clothes rod. Moreover, to the extent that the material used to form the roller were selected to be soft and pliable enough to deform as the Examiner believes it would, this soft and pliable roller would also tend to grip on the clothes hanger and instead of rolling freely, it would resist rolling. Lastly, the tubular roller of Stebbins does not have an apex as in the case of a roller with a preformed concave rolling surface and there is otherwise no alignment force (i.e., gravity) which would cause it to self-center from a side-to-side perspective on the clothes rod. So, even if the tubular roller of Stebbins were to compress into a quasi-concave shape, it would not necessary be at a center of the roller, resulting in the hanger neck and hanger sitting on the hanger rod to the far left or far right. Indeed, the tubular roller of Stebbins would most likely end up sitting on a far left or a far right position on the tubular roller relative to the top edge of the clothes rod. For example, if clothes are hanging unevenly on the hanger of Stebbins, such as the case where slacks are slide to one end of the hanger so that the hanger is canted out of a horizontal position, the center of gravity of the hanger with clothes on the clothes rod will not bisect a centerline of the hanger, and in this case, the tubular roller would definitely not be self-centered on the clothes rod. In sharp contrast, with Applicants' claimed hanger, no matter how clothes hangs on the hanger, the hanger hook will always self-center relative to the clothes rod because of the roller with a preformed concave roller surface with an apex or the plurality roller. Accordingly, Stebbins does not renders claims 3 obvious.

The Examiner next rejects claims 13, 14, 17 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Kamins et al in view of U.S. Patent No. 5,167,564 to Lord. Lord is cited as teaching a magnet to displace one hanger relative to another hanger. The Examiner states that it would have been obvious to combine the teachings of Kamins with Lord. Applicants

Appln No. 10/828,635
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respectfully submit that since the dependent claims 1 and 17 are not taught or suggested by Kamins, neither are their combinations with Lord.

The Examiner rejects claims 13, 14, 17 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Mizrach in view of Lord. Applicants respectfully submit that since the dependent claims 1 and 17 are not taught or suggested by Mizrach, neither are their combinations with Lord.

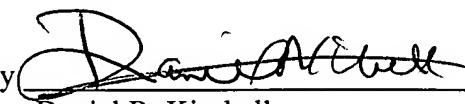
Nonstatutory Double Patenting Rejection:

Applicants acknowledge that Examiner's provisional rejection of claims 1-23 under the judicially created nonstatutory obviousness-type double patenting as being unpatentable over claims 1-18 of copending Application No. 11/124,311. As such time as this application is allowed, Applicants would consider filing a terminal disclaimer to deal with this situation.

Conclusion:

Based on the above amendments and reasons, Applicants respectfully submit that this application should be allowed. However, if the Examiner has any questions or alternative suggestions, a telephone call to the undersigned would be appreciated.

Respectfully submitted,
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